

SECTION 4 RECOMMENDATIONS FOR THE 2009-2014 PLANNING PERIOD

4.1 Introduction

This section of the 2009 Plan Update contains the key policy recommendations approved by the SWALCO Board of Directors and the Lake County Board. The previous section provided information on the implementation status of the 2004 Plan Update recommendations. Many of the 2004 plan recommendations have remained the same and are included in this update; but most were modified, and/or deleted. New recommendations were also developed as part of this update. It should be noted that the Citizens Advisory Committee (CAC) was instrumental in the development of the recommendations contained in this Plan Update and that all the recommendations approved by the CAC (except for _____) have also been approved by the SWALCO Board of Directors and the Lake County Board. The recommendations have been organized according to the following substantive planning categories:

- Public Information and Education
- Recycling
- Household Chemical Waste Management
- Mass Burn Incineration (new, not in 2004 Plan Update)
- Landfilling
- Solid Waste Transfer (new, not in 2004 Plan Update)
- Alternative Technologies (labeled as Emerging Technologies in 2004 Plan Update)
- Organization and Administration
- Finance and Ownership
- Legislative Initiatives
- Host Community Benefit Agreements

The 2009 Plan Update recommendations regarding final disposal are reflective of a realization that Lake County needs to start seriously considering long-term options for managing its waste requiring disposal. The two remaining landfills in Lake County, the Countryside Landfill and the Zion Landfill, have approximately 9.5 years and 5 years, respectively, of remaining capacity as of January 1, 2009. The owner of the Zion Landfill, Veolia ES, is proposing an expansion that would add approximately 8 years of capacity at current waste intake levels. Given the time necessary to site, permit and construct new disposal facilities it was determined that the 2009 Plan Update needed to provide guidance to Lake County citizens, local stakeholders and the private sector on the long-term disposal options being considered by SWALCO and Lake County. One of the primary purposes of the planning process is to make sure that new facilities and/or programs are in place prior to existing facilities closing.

4.2 Planning Recommendations for 2009-2014

The following recommendations represent the key elements of the 2009 Plan Update. As discussed in Section 1, the recommendations regarding final disposal facilities requiring siting per Section 39.2 of the Illinois Environmental Protection Act (415 ILCS 5/39.2) are the



recommendations that a proposed pollution control facility applicant must demonstrate consistency with in order to be granted approval under siting criterion 8 of Section 39.2.

4.2.1 Public Information and Education

- P.1 Identify new and support ongoing activities of SWALCO's public information and education programs to encourage waste reduction, reuse, recycling and recovery/re-buy (buying recycled products) and sustainability practices through SWALCO's websites and other publications, as well as community organizations such as PTA/PTO's, park districts, libraries, church, corporate and other community groups. The importance of buying recycled products should be emphasized when possible as this creates markets for additional materials and diverts these materials from final disposal.
- P.2 Continue to provide in-house marketing support to help publicize SWALCO technical programs, such as the household chemical waste collections and recycling programs. Identify new marketing opportunities or avenues.
- P.3 Continue to encourage SWALCO members to design, evaluate and distribute information for residents regarding various solid waste management issues, and to inform SWALCO of waste-related and environmental activities within their communities. Assist member communities in their efforts by acting as a resource and providing information and educational assistance. Support community events and local organizations by attending local events and/or providing materials regarding SWALCO's various programs and other environmental initiatives.
- P.4 Ask and encourage SWALCO members to advertise SWALCO events and programs on their websites, community newsletters, elist bulletin announcements as well as other technologies and approaches to help provide information to their residents. Request that members provide a point of contact for assisting SWALCO's Public Information Officer and that this point of contact information be kept up-to-date.
- P.5 Develop partnerships with the business community, waste haulers, institutions, service and professional organizations, and governmental entities to expand the outreach potential for focused educational efforts.
- P.6 Continue to support and evaluate school education outreach efforts that meet Illinois Learning Standards, such as the Lake County Earth Flag Program, the Earth Flag Everyday supplemental program, the educational website, subsidized performances by environmental educators, and in-class presentations.
- P.7 Identify and utilize applicable public and school education resources to develop customized activities for Lake County.
- P.8 Continue to evaluate the communication efforts (e.g., SWALCO branding, advertising and other promotional efforts) to determine their effectiveness, and evaluate the communication efforts on a yearly basis. Consider new communication techniques and continue to build relationships within Lake County to assist in reaching education and outreach goals.
- P.9 Continue to embrace and incorporate new information technologies in SWALCO's promotional efforts (e.g., websites, email services, etc.).
- P.10 Continue to collaborate with the EduCycle Center in Grayslake, as well as other related organizations.



- P.11 Investigate opportunities for public outreach at special events (e.g. Lake County Fair). Participate in member community events such as Community Days, Open Houses and other special events.
- P.12 Act as a resource and provide technical assistance during emergency events and interruptions of service (e.g. floods, garbage strikes, post-tornado debris management).
- P.13 Develop and continue to update guidelines for proper separation of landscape waste for composting and recyclables for recycling, targeted at residential households. The goal is to reduce the contaminants that must be managed by compost facilities and recycling centers.

4.2.2 Recycling

- R.1 Maintain and expand collection of data on recycling activity in Lake County. Identify significant recycling data points that reflect changes in recycling activity in Lake County and develop programming that fosters increased diversion of recyclable materials.
- R.2 Continue to expand recycling programs to achieve a 45% recycling goal by 2014 (current estimated municipal waste recycling rate is 38%, see Table 2.8).
- R.3 Continue to support area recyclers in activities that expand their capabilities of diverting marketable materials from landfills when feasible.
- R.4 Continue to maintain and enforce the Lake County Solid Waste Hauling and Recycling Ordinance and if necessary, recommend changes be made to the Ordinance by the Lake County Board.
- R.5 Encourage all SWALCO members and Lake County townships to establish volume based pricing (i.e., programs that provide incentives to reduce the amount of waste disposed) as an option.
- R.6 Encourage all SWALCO members and Lake County townships to implement cart-based recycling programs within their residential areas.
- R.7 Assist SWALCO members and Lake County townships in franchising residential, multi-family and/or commercial collection services as a means to control costs, increase recycling, reduce the amount of greenhouse gases associated with collection services, and enhance community sustainability efforts.
- R.8 Continue to encourage all SWALCO members to adopt the model commercial and multi-family refuse and recycling enclosure ordinance.
- R.9 Identify and assist SWALCO members whose residential, commercial and/or multi-family recycling programs are underperforming or can be further optimized; conduct program evaluations and develop recommendations for improving programs. This may require SWALCO's Recycling Coordinator and Public Information Officer working together to enhance the recycling program and the marketing of the program.



- R.10 Participate in the EPA Waste Wise Program and encourage commercial and industrial establishments, institutions, governmental agencies, and other non-residential entities to participate in source reduction activities.
- R.11 Depending on availability of funds and agency priorities, continue to further the development of source reduction programs, special event and public area recycling programs, plastic bag recycling programs, compost bin distributions and residential electronics collections.
- R.12 Continue to maintain a Capacity Agreement with a qualified recycling firm (currently Waste Management Recycle America L.L.C.) to assure that sufficient capacity is available to SWALCO members, and that SWALCO members and Lake County townships that direct material to the facility are eligible to receive a Per Ton Payment for their recyclables per the terms of the existing Intermediate Processing Facility Capacity Agreement (effective January 1, 2009 for a three year term with two, 2-year renewal options).
- R.13 Encourage SWALCO members and Lake County townships to enter into a Per Ton Payment Intergovernmental Agreement with SWALCO in order to be eligible to receive payment (Per Ton Payment) for their recyclables per the terms of the existing Capacity Agreement.
- R. 14 Encourage the development of general construction or demolition (C&D) debris recycling facilities as permitted by Section 22.38 of the Illinois Environmental Protection Act. With the enactment of Public Act 96-0611, general C&D debris recycling facilities can be located in Lake County, without having to obtain local siting approval in accordance with Section 39.2 of the Illinois Environmental Protection Act, and instead will be regulated by applicable zoning requirements. As a result, SWALCO will develop zoning guidelines for such facilities that address the location, design, operation and closure of such facilities. These guidelines will be prepared in a timely fashion and sent to all SWALCO members for their consideration, with the recommendation from SWALCO that the guidelines be included in each member's zoning ordinance. Any proposed general C&D debris recycling facility must enter into Host Community Benefit Agreements with SWALCO and the governing body with jurisdiction over the proposed facility prior to filing a siting application or zoning application, whichever is applicable. The Host Community Benefit Agreements with SWALCO and the governing body must, at a minimum, contain provisions for: 1) a guarantee of access to capacity at the facility for general C&D material generated in Lake County, 2) environmental safeguards, and 3) payment of host fees.
- R.15 Encourage SWALCO members to adopt a model C&D recycling ordinance that would require the implementation of a recycling program at new construction and/or demolition sites within their communities.
- R.16 Encourage the development of programs to increase the collection and composting of residential and commercial organic material (such as landscape waste, food scrap and livestock waste).



- R.17 Evaluate recent increases in landscape waste collection and composting costs, and determine if SWALCO needs to take any action to better control and/or reduce the costs associated with both collecting and managing the material.

4.2.3 Household Chemical Waste (HCW) Management

- H.1 Continue operating a Household Chemical Waste Collection Program consisting of both public drop-off and mobile collection events operating on a year round basis.
- H.2 Renew the existing Intergovernmental Agreement with the Illinois Environmental Protection Agency when its term expires (April 2012). Explore modifying the Agreement to allow for SWALCO to assume ownership of the waste oil entering the Program and encourage the IEPA to use more sustainable disposal methods for certain wastes streams (i.e. latex paint).
- H.3 Encourage and support SWALCO members in the establishment of supplemental HCW programs such as waste oil collection programs (i.e. Lake Zurich and Lake Barrington Programs), Partner for Paint programs (i.e., Elia Township Highway Dept.. Program) and fluorescent lamp collection centers (i.e. Highland Park, Riverwoods and Third Lake Programs).
- H.4 Focus on efforts to reduce the volume of latex paint coming into the HCW Program by working more closely with existing latex paint recycling firms/programs such as Earth Paints Collection Systems and the Elia Township Highway Dept. Program.
- H.5 Provide funding for periodic tire collection events. Conduct these events in affiliation with the IEPA tire collection program and cosponsor with the Lake County Farm Bureau. Sponsor these events on even calendar years (2010, 2012, and 2014).
- H.6 Consider modifying the IEPA Agreement to allow servicing of Conditionally Exempt Small Quantity Generators (CESQG's) through our HCW Program as a potential revenue source. Strive to develop a database of CESQG's including a waste stream analysis (types/volumes of waste), and evaluate the interest of a third party company leasing space at SWALCO's HCW facility to manage the wastes collected from CESQG's or other sources.
- H.7 Maintain a listing of environmental contractors and disposal programs (i.e. IEPA's laboratory waste collection program) to use as a referral for business, institutions and school districts.
- H.8 Consider offering SWALCO's assistance in conducting one-day collection events for neighboring Illinois counties as another potential revenue source.
- H.9 Consider establishing one or more additional HCW satellite collection center(s) (e.g. fire station) within the next five years taking into consideration the results of the Lincolnshire-Riverwoods Fire District HCW satellite collection center.



4.2.4 Mass Burn Incineration

- M.1 With less than ten years of permitted landfill capacity in Lake County, mass burn incineration (Defined as the direct combustion of waste in a chamber using oxygen and heat. This process is distinct from the technologies, which do not directly burn the waste, discussed in the Alternative Technologies Recommendations.) should be considered as a local and sustainable solution to managing Lake County's waste. If the proposed mass burn incineration facility meets the applicable requirements of the Lake County Solid Waste Management Plan (Recommendations M.2 and M.3) it will be considered consistent with the Plan.
- M.2 SWALCO and the siting authority (the unit of local government with siting jurisdiction in accordance with Section 39.2 of the Illinois Environmental Protection Act) will continue using the three guidelines that were outlined in the 1989 Plan for evaluating mass burn incineration technology. These guidelines are: utilize proven technology; minimize emissions; and avoid large economic risks. SWALCO's and the siting authority's determination on whether the proposed facility is consistent with the Lake County Solid Waste Management Plan will be based, in part, on the applicant addressing the following questions in the plan consistency (siting criterion number 8 of Section 39.2 of the Act) portion of the siting application:
- **Facility Requirements** – What type of facilities are required as part of the technology? How many facilities are needed and of what size, including both site acreage and disposal capacity (in tons per day)?
 - **Siting** - What are the facility siting requirements? Does a suitable site exist within the County?
 - **Economics** -What are the capital, operation, and maintenance costs associated with the technology? What are the probable revenues and life cycle costs? What are the estimated tipping fees per ton and how do the estimated fees compare to current tipping fees for disposal of Lake County waste?
 - **Technical Feasibility** - Is the technology proven for a portion or all of the waste generated for disposal in Lake County? Can it provide reliable long-term management of the targeted waste stream?
 - **Ability to Implement** - Can the technology be successfully engineered? What are the potential obstacles to implementation and how will these obstacles be addressed? Can it be implemented in time to serve its intended purpose?
 - **Environmental Impacts** - What are the environmental impacts of the technology on the air, water, and land of Lake County and its surrounding neighbors? Do the air, land and water pollution control technologies proposed at the facility meet the most current applicable state of Illinois and/or federal regulations for new facilities including the Maximum Achievable Control Technology (MACT) standards and anticipated regulatory changes that may be still pending final approvals?
 - **Permitting** - What federal, state and/or local permits will be necessary for the facility to be developed and operated?
 - **Safety Issues** - What safety concerns for the worker and general public are associated with the facility and can they be adequately addressed?
 - **Health Risk Assessment** - What are the health risks and benefits associated with the technology?
 - **Financing** – How will the facility be financed and can financing be arranged?

- **Life Cycle Environmental Assessment** – What are the life cycle environmental impacts of the proposed disposal technology compared to the current disposal system in Lake County, using the following life cycle parameters – net annual energy consumption, sulfur oxides emissions, nitrogen oxides emissions and carbon dioxide emissions?

M.3 Any proposed mass burn incineration facility must meet the requirements of Recommendation A.1 (Section 4.2.11, Host Community Benefit Agreements).

4.2.5 Landfilling

- L.1 Maintain existing contracts and /or negotiate new contract provisions with the three sanitary landfills serving Lake County (Countryside Landfill, Pheasant Run Landfill and Zion Landfill) to provide for privately-owned-and-operated landfill disposal capacity for Lake County's waste requiring disposal. Such capacity guarantee should provide capacity for a portion of Lake County's waste for as long as the landfill has permitted capacity and remains an open site per the appropriate state regulations. SWALCO will consider expanding the list of landfills (located outside of Lake County) deemed to be serving Lake County if the owner of the landfill proposed for inclusion first negotiates a host agreement with SWALCO. The host agreement must provide for a capacity guarantee and payment of a host fee for each ton of Lake County waste taken to the landfill.
- L.2 Continue to implement source reduction, reuse, recycling, and composting programs to reduce dependence on landfilling.
- L.3 If one or both of the two existing landfills in Lake County (Zion Landfill and Countryside Landfill) propose an expansion onto property that is directly adjoining or within 250 feet of an existing portion of the permitted footprint of the landfill (horizontal) and/ or on top of (vertical expansion) the existing landfill's permitted airspace, and the proposed expansion meets the requirements of Recommendation A.1, the proposed expansion will be considered consistent with the Plan.
- L.4 No new municipal waste landfill (defined as any facility developed for the final disposal of unprocessed municipal waste, except those identified in Recommendation L.3) will be allowed anywhere within incorporated or unincorporated Lake County. Any such proposed new landfill proposed for the disposal of unprocessed municipal waste will be considered inconsistent with the Plan. A new landfill will be considered consistent with the Plan if it accepts processed waste (defined as the by-product and/or residue resulting from a mass burn incinerator or alternative technology facility located in Lake County) and meets the applicable requirements of the Lake County Solid Waste Management Plan (Recommendations L.5 and L.6).
- L.5 SWALCO and the siting authority (the unit of local government with siting jurisdiction in accordance with Section 39.2 of the Illinois Environmental Protection Act) will continue using the three guidelines that were outlined in the 1989 Plan for evaluating landfilling technology. These guidelines are: utilize proven technology; minimize emissions; and avoid large economic risks. SWALCO's and the siting authority's determination on whether the proposed facility is consistent with the Lake County Solid Waste



Management Plan will be based, in part, on the applicant addressing the following questions in the plan consistency (siting criterion number 8 of Section 39.2 of the Act) portion of the siting application:

- **Facility Requirements** – What type of facilities are required as part of the technology? How many facilities are needed and of what size, including both site acreage and disposal capacity (in tons per day)?
 - **Siting** - What are the facility siting requirements? Does a suitable site exist within the County?
 - **Economics** -What are the capital, operation, and maintenance costs associated with the technology? What are the probable revenues and life cycle costs? What are the estimated tipping fees per ton and how do the estimated fees compare to current tipping fees for disposal of Lake County waste?
 - **Technical Feasibility** - Is the technology proven for a portion or all of the waste generated for disposal in Lake County? Can it provide reliable long-term management of the targeted waste stream?
 - **Ability to Implement** - Can the technology be successfully engineered? What are the potential obstacles to implementation and how will these obstacles be addressed? Can it be implemented in time to serve its intended purpose?
 - **Environmental Impacts** - What are the environmental impacts of the technology on the air, water, and land of Lake County and its surrounding neighbors? Do the air, land and water pollution control technologies proposed at the facility meet the most stringent standards under applicable state of Illinois and/or federal law?
 - **Permitting** - What federal, state and/or local permits will be necessary for the facility to be developed and operated?
 - **Safety Issues** - What safety concerns for the worker and general public are associated with the facility and can they be adequately addressed?
 - **Health Risk Assessment** - What are the health risks and benefits associated with the technology?
 - **Financing** – How will the facility be financed and can financing be arranged?
 - **Life Cycle Environmental Assessment** – What are the life cycle environmental impacts of the proposed disposal technology compared to the current disposal system in Lake County, using the following life cycle parameters – net annual energy consumption, sulfur oxides emissions, nitrogen oxides emissions and carbon dioxide emissions?
- L.6 Any proposed new landfill facility must meet the requirements of Recommendation A.1 (Host Community Benefit Agreements).
- L.7 Encourage existing and new landfill owners to design and implement landfill technologies such as leachate recirculation systems to extend life expectancy, reduce long term toxicity and conserve resources when possible and environmentally appropriate.
- L.8 Encourage existing and new landfill owners to design and implement landfill gas collection and management systems that capture and utilize the maximum amount of landfill gas for energy recovery as opposed to direct flaring of some or all of the landfill gas.

4.2.6 Solid Waste Transfer

- T.1 Solid waste transfer stations, if developed in accordance with the applicable requirements of the Lake County Solid Waste Management Plan (Recommendations T.2 through T.6), will be considered consistent with the Plan. These recommendations (T.1 through T.6) are not applicable to landscape waste transfer stations or general construction and demolition debris recycling facilities as permitted under Section 22.38 of the Illinois Environmental Protection Act, but are applicable to any transfer station that meets the definition of a pollution control facility under the Act.
- T.2 A transfer station site should be large enough to provide for a facility large enough to safely and efficiently manage the anticipated volume of waste, adequate buffering and screening, stormwater management, and safe traffic flow. If the site is proposed for additional functions, including but not limited to, vehicle and equipment storage, vehicle maintenance, office space, processing of recyclables, or processing of waste into a fuel it must be demonstrated that the site is large enough for all proposed functions.
- T.3 Transfer station operations - related to the unloading of refuse, recyclables and landscape waste, temporary storage of the materials on the tipping floor, and the loading of transfer trailers – must be located within a portion of the transfer station that can be completely enclosed. (This does not require the transfer station to keep its incoming and outgoing doors closed during operations unless proximity to a Federal Aviation Administration (FAA) regulated airport requires that doors open and close with the acceptance of waste. This does prohibit the development of a three sided and/or an open top structure as a transfer station in Lake County.) Developers are strongly encouraged to incorporate green/sustainable building principles into the design and operation of the facility and the overall site.
- T.4 Transfer station developers must include in the design and operation of the facility the transfer of recyclables and landscape waste. Transfer station developers are encouraged to evaluate the processing of the solid waste into a renewable fuel that could be transported to off-site markets.
- T.5 SWALCO and the siting authority (the unit of local government with siting jurisdiction in accordance with Section 39.2 of the Illinois Environmental Protection Act) will continue using the three guidelines that were outlined in the 1989 Plan for evaluating transfer station technology. These guidelines are: utilize proven technology; minimize emissions; and avoid large economic risks. SWALCO's and the siting authority's determination on whether the proposed facility is consistent with the Lake County Solid Waste Management Plan will be based, in part, on the applicant addressing the following questions in the plan consistency (siting criterion number 8 of Section 39.2 of the Act) portion of the siting application:
- **Facility Requirements** – What type of facilities are required as part of the technology? How many facilities are needed and of what size, including both site acreage and disposal capacity (in tons per day)?
 - **Siting** - What are the facility siting requirements? Does a suitable site exist within the County?

- **Economics** -What are the capital, operation, and maintenance costs associated with the technology? What are the probable revenues and life cycle costs? What are the estimated tipping fees per ton and how do the estimated fees compare to current tipping fees for disposal of Lake County waste?
- **Technical Feasibility** - Is the technology proven for a portion or all of the waste generated for disposal in Lake County? Can it provide reliable long-term management of the targeted waste stream?
- **Ability to Implement** - Can the technology be successfully engineered? What are the potential obstacles to implementation and how will these obstacles be addressed? Can it be implemented in time to serve its intended purpose?
- **Environmental Impacts** - What are the environmental impacts of the technology on the air, water, and land of Lake County and its surrounding neighbors? Do the air, land and water pollution control technologies proposed at the facility meet the most stringent standards under applicable state of Illinois and/or federal law?
- **Permitting** - What federal, state and/or local permits will be necessary for the facility to be developed and operated?
- **Safety Issues** - What safety concerns for the worker and general public are associated with the facility and can they be adequately addressed?
- **Health Risk Assessment** - What are the health risks and benefits associated with the technology?
- **Financing** - How will the facility be financed and can financing be arranged?

- **Life Cycle Environmental Assessment** – What are the life cycle environmental impacts of the proposed disposal technology compared to the current disposal system in Lake County, using the following life cycle parameters – net annual energy consumption, sulfur oxides emissions, nitrogen oxides emissions and carbon dioxide emissions?

T.6 Any proposed transfer station facility must meet the requirements of Recommendation A.1 (Host Community Benefit Agreements).

4.2.7 Alternative Technologies

- AT.1 With less than ten years of permitted landfill capacity in Lake County, alternative technologies, which include a variety of technologies that convert waste to an energy through thermal, biological or chemical conversion (not including mass burn incineration), should be considered as a local and sustainable solution to managing Lake County's waste. If the proposed alternative technology facility meets the applicable requirements of the Lake County Solid Waste Management Plan (Recommendations AT.2 and AT.3) it will be considered consistent with the Plan.
- AT.2 SWALCO and the siting authority (the unit of local government with siting jurisdiction in accordance with Section 39.2 of the Illinois Environmental Protection Act) will continue using the three guidelines that were outlined in the 1989 Plan for evaluating alternative technologies. These guidelines are: utilize proven technology; minimize emissions; and avoid large economic risks. SWALCO's and the siting authority's determination on whether the proposed facility is consistent with the Lake County Solid Waste Management Plan will be based, in part, on the applicant addressing the following



questions in the plan consistency (siting criterion number 8 of Section 39.2 of the Act) portion of the siting application:

- **Facility Requirements** – What type of facilities are required as part of the technology? How many facilities are needed and of what size, including both site acreage and disposal capacity (in tons per day)?
- **Siting** - What are the facility siting requirements? Does a suitable site exist within the County?
- **Economics** -What are the capital, operation, and maintenance costs associated with the technology? What are the probable revenues and life cycle costs? What are the estimated tipping fees per ton and how do the estimated fees compare to current tipping fees for the disposal of Lake County waste?
- **Technical Feasibility** - Is the technology proven for all or a portion of the waste generated for disposal in Lake County? Can it provide reliable long-term management of the targeted waste stream?
- **Ability to Implement** - Can the technology be successfully engineered? What are the potential obstacles to implementation and how will these obstacles be addressed? Can it be implemented in time to serve its intended purpose?
- **Environmental Impacts** - What are the environmental impacts of the technology on the air, water, and land of Lake County and its surrounding neighbors? Do the air, land and water pollution control technologies proposed at the facility meet the most current applicable state of Illinois and/or federal regulations for new facilities including the Maximum Achievable Control Technology (MACT) standards and anticipated regulatory changes that may be still pending final approvals?
- **Permitting** - What federal, state and/or local permits will be necessary for the facility to be developed and operated?
- **Safety Issues** - What safety concerns for the worker and general public are associated with the facility and can they be adequately addressed?
- **Health Risk Assessment** - What are the health risks and benefits associated with the technology?
- **Financing** – How will the facility be financed and can financing be arranged?
- **Life Cycle Environmental Assessment** – What are the life cycle environmental impacts of the proposed disposal technology compared to the current disposal system in Lake County, using the following life cycle parameters – net annual energy consumption, sulfur oxides emissions, nitrogen oxides emissions and carbon dioxide emissions?

AT.3 Any proposed alternative technology facility must meet the requirements of Recommendation A.1 (Host Community Benefit Agreements).

4.2.8 Organization and Administration

- O.1 Continue the coordinated county wide approach to the management and disposal of all nonhazardous waste generated within Lake County, including the management of recyclable and recoverable materials. Place increased emphasis on non-residential waste, including commercial, industrial waste and construction and demolition debris.
- O.2 SWALCO should continue providing centralized management of the plan implementation process and other municipalities currently not SWALCO members should be



encouraged to join SWALCO.

- O.3 SWALCO members should assume responsibility for: (i) adopting necessary waste management ordinances, (ii) providing administrative and operational funding for SWALCO as determined by SWALCO Board of Directors and (iii) using the waste management and disposal system established by SWALCO.
- O.4 The SWALCO Board of Directors shall provide for professional staff and resources necessary to undertake all programs to implement the Solid Waste Plan. As programs are altered, it may be necessary to adjust staffing levels to implement program changes.
- O.5 Maintain the designation of one or more Materials Recovery Facility(ies) (MRF) as an official component of Lake County's waste management system and encourage all members and non-members to utilize the MRF or MRFs for recoverables collected within their municipal boundaries; continue to establish and designate other components of the waste management system as appropriate.
- O.6 Obtain input from the public in the development of solid waste policies, such as from a citizens advisory group. Prior to adopting the next update to the Lake County Solid Waste Management Plan establish a new citizens advisory committee (CAC) to help in the preparation of a draft plan update for review and approval by the SWALCO Board of Directors and the Lake County Board.

4.2.9 Finance and Ownership

- F.1 Monitor operations of the three sanitary landfills currently under agreement with SWALCO for the provision of a given amount of privately-owned-and-operated landfill disposal capacity, secured by contract/agreement. Retain, as a long term option, the public ownership of recycling, composting and/or final disposal facilities to meet the waste/material management needs of Lake County.
- F.2 Examine and where determined appropriate, pursue all reasonably available sources of interim and long-term funding for implementing programs and facilities recommended in the Plan Update.
- F.3 SWALCO and Lake County should monitor and apply to federal, state and private sources for grants and loans to be used for capital assistance when such funding is consistent with the goals of the Plan.
- F.4 SWALCO members and non-members should be encouraged to consider other available sources of assistance grants and funds to finance and operate local recycling projects.

4.2.10 Legislative Initiatives

- I.1 Utilize the SWALCO Legislative Committee to develop an annual Legislative Policy for approval by the Board of Directors. SWALCO's legislative efforts should be coordinated with Lake County and other entities. The Legislative Policy should be consistent with the



Lake County Solid Waste Management Plan as updated and amended.

4.2.11 Host Community Benefit Agreements

- A.1 Prior to filing a siting application, pursuant to Section 39.2 of the Illinois Environmental Protection Act, for a new pollution control facility or for an expansion or significant modification to an existing pollution control facility, the applicant shall first enter into Host Community Benefit Agreements with Lake County, SWALCO, and the governing body with jurisdiction over the proposed facility. In addition, the applicant may enter into additional Host Community Benefit Agreements with other appropriate units of local government, as determined by the applicant. In the event the applicant represents an existing pollution control facility with existing Host Community Benefit Agreements, the applicant shall amend each existing Host Community Agreement with each respective party prior to filing the siting application with the governing body.

The new and/or amended Host Community Benefit Agreements with Lake County and SWALCO must, at a minimum, contain provisions for: 1) a guarantee of access to capacity at the facility for Lake County's unincorporated and incorporated solid waste, 2) environmental safeguards, and 3) payment of host benefit fees.



September 17, 2009

A – 2. Amendment to the SWALCO Intergovernmental Agreement and Agency By-Laws

ISSUE: Whether to propose to the SWALCO members an amendment to the Intergovernmental Agreement and the By-Laws.

RECOMMENDATION: The Executive Director recommends that the Executive Committee approve the proposed amendment and forward it to the Board of Directors for consideration at the October 22, 2009 meeting.

TIMING: Routine

BACKGROUND: At both the August 2009 Executive Committee meeting and the Board of Directors meeting the issue of amending the SWALCO Intergovernmental Agreement was discussed with respect to: 1) director and alternate director qualifications, and 2) composition of the Executive Committee. Based on these discussions, the Executive Director and legal counsel were asked to prepare language to amend the Intergovernmental Agreement and By-Laws. Attached is language prepared by legal counsel and reviewed by the Executive Director.

ENCLOSED DOCUMENT: Proposed Amendment to the Intergovernmental Agreement and By-Laws.

STAFF: Walter S. Willis, Executive Director

INTERGOVERNMENTAL AGREEMENT

8.2 The governing body of the Agency shall be the Board of Directors. There shall be one Director for each Member, who shall be appointed by vote of the corporate authorities of the Member and who at the time of appointment shall be: (1) the Mayor or President of a Member (if such Member is a municipality) or the Chairman of the Board (if such Member is the County); (ii) a Trustee, Councilperson, or Alderman (if such Member is a municipality) or a Board Member (if such Member is the County); or (iii) the chief administrative officer of the Member. The term of each initial Member shall begin when he or she is appointed and shall continue until April 30, 1993 or until his or her successor is appointed, whichever is earlier. Thereafter, all Directors shall be appointed for two-year terms expiring on April 30 of odd numbered years. Except as provided in paragraph 8.4, a person serving as a Director shall serve until his or her term expires, and thereafter until his or her respective successor is appointed. Each Director shall have one vote on the Board of Directors.

8.3 Any Member may appoint one or more persons to serve as the Alternate Director. Any such appointee shall meet the qualifications for office as a Director established in paragraph 8.2, except in the case where a Member is unable to appoint such an appointee because it is impracticable because of size or time commitments. In that case a Member may appoint an Alternate Director who is a full time employee in an executive level position with the Member. An executive level position is generally intended to mean a person who is a department head or above, but the sole determination of each appointing Member shall determine what constitutes an executive level position. The Alternate Director may attend any meeting of the Board of Directors and may vote as Director in the absence of the Director from that Member or if there is a vacancy in the position of Director from that Member. The term of the Alternate Director shall be the same as the term of the Director from the appointing Member. Except as provided in paragraph 8.4, a person serving as Alternate Director shall serve until his or her term expires and thereafter until the successor is appointed.

8.9 There is established an Executive Committee of the Agency. The Executive Committee shall consist of ~~seven (7) Directors if the Agency is composed of twenty (20) Members or less and nine (9) Directors if the Agency is composed of twenty-one (21) Members or more.~~ The Executive Committee shall be selected by vote of the Board of Directors of the Agency. ~~If the Executive Committee consists of seven (7) Directors, the persons appointed to the Executive Committee shall include two (2) persons who are Directors from Members having a population of more than 30,000 persons, provided that there are two (2) Members have such population. If the The Executive Committee consists of nine (9) Directors, the persons appointed to the Executive Committee shall include~~ the Director from the County of Lake as a

permanent member, and two(2) ~~three (3)~~ persons who are Directors from Members in good standing, having a population of more than 30,000 persons, provided that there are three Members having such population. Population shall be determined on the basis of the most recent federal census as reported in the Illinois Counties and Municipalities, dated June 1, 1989, or as thereafter updated, and published by the Secretary of State of the State of Illinois. The remaining six (6) persons shall be elected from the remaining Directors of Members in good standing, without regard to population. The terms of office of members of the Executive Committee shall be established in the Bylaws. Although it is not preferred, wWith the consent of the Member, a specified Alternate Director for that Member may be elected to the Executive Committee on behalf of that Member. Whenever practicable, the Member shall appoint a Director to sit on the Executive Committee. If the elected representative (Director or Alternate Director) is unable to attend the Executive Committee Meeting(s), no such substitute shall be allowed to count towards a quorum or shall be allowed to vote at the Executive Committee Meeting(s). The Executive Committee may take any action with respect to the Agency which the Board of Directors is authorized to take, except the Board of Directors shall have the sole authority to: approve the annual budget; to make all appropriations; to adopt any ordinances or resolutions providing for the issues of Bonds; to adopt rules, regulations and By-laws of the Agency; to admit Additional Members; to approve all System Development and Implementation Agreements; to undertake siting of all Waste Projects; to impose any charge on Members not provided for in a System Development and Implementation Agreement; and to take such other action as may be reserved to it in the rules, regulations, By-laws or Ordinances of the Agency. Members of the Executive Committee shall not be compensated for their service in such capacity, but may be reimbursed for reasonable and necessary expenses incurred in performance of their duties.

BYLAWS

Article II Section 2. Alternate Director

Each Member municipality and the County government shall select an Alternate Director as provided by Section 8.3 of the Agreement, who may act on behalf of the municipality or County at any scheduled meeting of the Agency, in the absence of the duly appointed Director, except as provided in paragraph 8.9. An Alternate Director shall be an official as provided by Section 8.2 or 8.3 of the Agreement.

Article IV Section1b

- (i) ~~The three Directors from the County of Lake of Members having a population of more than 30,000 shall serve a perpetual terms. The two (2) Directors from the Members having a population of more than 30,000 shall be elected from those eligible Members and shall serve alternating terms of two (2) years. One Director shall serve a term of one (1) year, beginning with his/her election in 2010. The second Director shall serve a term of two (2) years beginning in 2010. Subsequent terms for both of these seats shall be for two (2) years. The initial terms of these two (2) Directors shall be chosen by lot.~~
- (ii) The terms of the remaining six (6) Members of the Executive Committee shall expire on the third Thursday, April, 1994 and they shall serve until the end of their respective terms for the Executive Committee and thereafter until their respective successors are elected. Three (3) Directors shall serve terms of one (1) year, beginning with their election in 1994. Subsequent terms for these three (3) seats shall be for two (2) years. The other three (3) Directors shall serve terms of two (2) years, beginning with their election in 1984. Subsequent terms for these three (3) seats shall be for two (2) years. The initial terms of these remaining six (6) Directors shall be chosen by lot.

I – 1. SWALCO/IEPA HCW Agreement Update

BACKGROUND: SWALCO's Household Chemical Waste Program (HCW) operates under an Intergovernmental Agreement with the Illinois Environmental Protection Agency (IEPA). The Agreement provides general operating guidelines, names the IEPA as generator of the waste and provides approximately \$300,000 of funding to cover the transportation and disposal costs.

On August 28th staff received a phone call from the IEPA informing us that the IEPA will keep the Agreements with the permanent HCW facilities intact for the balance of their fiscal year (ending June 30, 2010). The IEPA recognizes the financial commitment that the owners of the permanent facilities have expended and are exploring means to secure funding for the next fiscal year.

Additional programs like the IEPA's pharmaceutical collection program will continue to operate through the fiscal year, however, their one day mobile HCW collection program and the Partner for Paint Programs have both been cancelled. The future of these programs is unknown at this time.

As a result of the IEPA's decision to cancel the Partner for Paint Program, Lake County's sole Partner for Paint Program member, Ela Township Highway Department (located in Lake Zurich), will conduct their last paint collection event on Saturday, September 19th.

Staff will provide periodic updates as additional information becomes available.

ENCLOSED DOCUMENT: Ela Township Highway Department's termination letter.

STAFF: Steve Nelson, HCW Engineer



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

AUG 27 2009

Ela Township Highway Department
Attn: Bill Kruckenberg, Commissioner
23605 N. Echo Lake Road
Lake Zurich, IL 60047-9000

Dear Mr. Kruckenberg:

As you are aware, the State of Illinois is facing severe budget shortfalls. As a result, the Illinois Environmental Protection Agency (Illinois EPA) will no longer be able to provide funding for our Partners for Waste Paint Solutions Program and we must terminate our Paint Partner Agreements. The Illinois EPA is taking this action because the funds available in the Solid Waste Management Fund are insufficient to pay for work under this Agreement.

Section 3.8 of our original partnership agreement states: "The AGENCY may withdraw from this agreement, upon providing 90 days written notice to the Retailer or UNIT OF LOCAL GOVERNMENT. The AGENCY shall be responsible for pick-up and transportation/disposal of all waste paint collected by the Paint Retailer or UNIT OF LOCAL GOVERNMENT throughout the 90-day notification period."

Please process any paint you have on hand for one last scheduled pickup.

Like the many homeowners who depended on this program, we deeply appreciate your cooperation and past partnership but regret this necessary action.

If you have further questions, please contact Dan Rion of my staff at 217/782-9284.

Very truly yours,

Douglas P. Scott,
Director

I – 2. Project and Program Updates

BACKGROUND: The following are updates on several projects and programs we are currently working on:

1. Walter Willis met with Mike Kuhn and Mark Pfister of the Lake County Health Dept. on September 9th to continue negotiations on the allocation of the surcharge fund balance and the sharing of the surcharge revenue going forward.
2. There has been no progress on the host agreement negotiations with WMI or Republic. Republic did contact SWALCO recently and still intends to move forward on negotiations.
3. SWALCO and Lake County received a revised host agreement proposal from Veolia on August 26, 2009. We have prepared a written response to the proposal.
4. Staff have been assisting Grayslake, Wauconda, Lincolnshire and Vernon Hills with residential and/or commercial franchise projects.
5. Walter Willis, Larry Clark and Barry Burton met with Veolia on August 11th to continue host agreement negotiations as part of Veolia's proposed expansion of the Zion Landfill.
6. SWALCO did receive its IEPA permit for the Lincolnshire-Riverwoods FPD and the FPD has tentatively set a first event date of October 10, 2009.
7. Walter Willis has accepted an invitation to speak at the Green Conference for Small Businesses being held on November 13, 2009 at the College of Lake County. His topic will be how to conduct a waste audit at a business and also new composting opportunities, for restaurants, grocers, etc. that generate significant quantities of food scrap, as a result of SB 99 (Public Act 96-0418).
8. Walter Willis (along with representatives from Ogle County, Will County and ILCSWMA) will be meeting with Director Scott of the IEPA on September 17, 2009 to discuss the IEPA's potential use of SB 2034 to deem wastes as non-wastes if used at a landfill for road building or alternative daily cover (ADC). This would be in direct contradiction to what SWALCO was told by IEPA during legislative deliberations this spring.
9. Pete and Walter continue to explore options and the feasibility of receiving payment for e-scrap collected by SWALCO members. SWALCO has submitted the necessary paperwork to IEPA to register as an e-scrap collector in the State of Illinois.

STAFF: Walter Willis, Executive Director